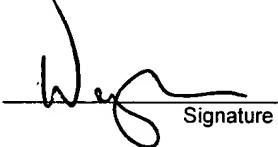




PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 325772019400	
	Application Number 09/662,176	Filed September 14, 2000	
	First Named Inventor Toshiyuki YAMASHITA		
	Art Unit 3627	Examiner M. A. Cuff	
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input type="checkbox"/> attorney or agent of record. Registration number _____</p> <p><input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. <u>38,503</u></p> <p> Signature</p> <p>Wayne C. Jaeschke Typed or printed name</p> <p>(703) 750-7756 Telephone number</p> <p>November 21, 2005 Date</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			



Docket No.: 325772019400
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yoshiyuki TAMAI et al.

Application No.: 09/662,176

Art Unit: 3627

Filed: September 14, 2000

Examiner: M. A. Cuff

For: PARTS-MANAGEMENT SYSTEM, METHOD
OF MANAGING PARTS AND PARTS-
MANAGEMENT APPARATUS

Conf. No.: 2043

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request review of the final rejection of claims 1-4 and 6-17.

Applicants assert that the prior art of record fails to establish *prima facie* obviousness and that the Examiner has not shown where each and every limitation of the claims can be found in the prior art.

The rejection of claims 1-4 and 6-17 under 35 USC 103(a) over Okigami in view of Antziopoulos should be withdrawn. The pending claims recite features that are not taught, disclosed, or suggested by Okigami or Antziopoulos, since the references, taken individually or in combination, fail to disclose a system in which information is transmitted from the terminal apparatus to the management apparatus to identify each replacement part and the total usage of each part.

The management apparatus, as recited in each independent claim, receives information to determine how long the identified part has been in operation over the part's entire lifetime (the part's operational value). The management apparatus is able to accurately determine how much life remains in the replacement part, even if that part has been previously installed in another copier. In other words, the present system and method differ from the cited prior art by monitoring and storing

the actual, total usage of a copier part independent from that part's usage within an individual copier. The prior art of record merely tracks the usage of an individual part within a specific copier, but fails to teach a system in which the actual, total usage of a part is tracked over the lifetime of a part. The prior art, therefore, fails to teach a system in which a copier part can be removed from, for example, a malfunctioning copier, and placed into service in another copier while still monitoring and tracking the usage of that part to determine when it has reached or exceeded its' usable lifespan – an objective that can be accomplished with the present system and method.

For example, claim 1 recites that “said controller of said terminal apparatus updates, based on said identification information and said operation value of each part transmitted from said management apparatus, the corresponding operation value of said identification information stored in said first memory”. An element used to accomplish this is “a first transmitter which transmits said identification information of each part and an operation value corresponding to said identification information to said management apparatus” – features absent from the prior art of record.

Information is, therefore, transmitted to the management apparatus that identifies each replacement part and the total usage of each part. The management apparatus may then use this information to determine how long the identified part has been in operation over its lifetime. For example, if a part is removed from a malfunctioning copier system and used as a replacement part in a functioning system, the management apparatus would be able to accurately determine how much life remains in the replacement part, despite it having been previously installed in another copier. Specification, page 4, lines 13-20. This feature cannot be accomplished using the teachings of either prior art reference or references taken together as a whole.

The system taught by Antziopoulos does not teach a system for tracking the total usage of a replacement part. Antziopoulos merely teaches a system that includes a copy counter for a part installed in a single copier system. Specifically, Antziopoulos fails to teach a system where a

management apparatus receives information specifically identifying a part and that part's actual usage.

Antziopoulos' system teaches that replacement components are installed by a user or technician. The parts have a usable life that cannot be determined by the central memory of the copier system, since the central memory of the copier system doesn't know the usable life of a component, and since certain manufacturers may make replacement components with varying usable lifespans. In order to determine when a part has reached or exceeded its lifespan, Antziopoulos suggests the use of a magnetic data card that is inserted into the machine to active it once a component is installed. The data card would include information about the usable life of the component, but the references does not suggest that the card would maintain information relating to the prior usage of the part. The specific copier system in which the part is installed would associate the part with a level of use indicator (i.e., copy counter). Col 3, lines 33-37. Nowhere, therefore, does Antziopoulos teach a system for tracking the total usage of a component.

Illustrative of the shortcoming of Antziopoulos is the disclosure that “[f]ollowing replacement of the replacement component, customer service will insert the magnetic card 50 adjoined by the manufacturer to each authorized component into the read/write unit to reset to null the pertinent display units.” Col. 4, lines 42-45. These display units include copy counters.

According to the system of Antziopoulos, therefore, the actual usage of a replacement part within a single copier may be tracked and compared with the manufacturer's suggested usable life of the part, but there is no way to continue monitoring the usage of a part if it is moved from one copier to another in the middle of its lifespan. In other words, Antziopoulos cannot disclose that “said controller of said terminal apparatus updates, based on said identification information and said operation value of each part transmitted from said management apparatus, the corresponding operation value of said identification information stored in said first memory” since Antziopoulos only counts the copies made while a part is being used in a single copier. Moreover, at no time does

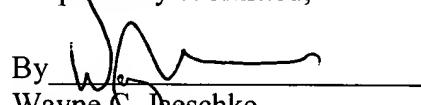
Antziopoulos teach, disclose, or suggest any feature his device that ever transmits an "operation value" or update the operation value. This feature of the pending claims, therefore, cannot be found in the prior art of record.

Claim 15 is directed toward "a memory for storing identification information of each part used in said terminal apparatus and an accumulated data corresponding to an operation of each part in a mutually related manner wherein said accumulated data includes data indicating the actual usage of each part over its life, including the actual usage of each part that has been used a plurality of apparatus". As previously remarked, the cited references do not describe a system that can track a parts' accumulated data or usage in a plurality of apparatuses. Further, neither cited reference teaches that the accumulated data of each part is updated based on data sent from the terminal apparatus. The references when combined, therefore, cannot show this feature. The rejection of claim 15 and claims depending therefrom should be withdrawn.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 325772019400.

Dated: November 21, 2005

Respectfully submitted,

By 
Wayne C. Jaeschke

Registration No.: 38,503
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
(703) 760-7756